

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

GLORIA PUMPHREY and ANGALYN JONES, for themselves and on behalf of all similarly situated individuals,

Plaintiffs,

v.

EXPERIAN INFORMATION SOLUTIONS, INC.,

Defendant.

Civil Action No.: 3:11-CV-574

JOINT DISCOVERY SCHEDULING ORDER

Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 26, counsel for Plaintiffs Gloria Pumphrey and Angalyn Jones and Defendant Experian Information Solutions, Inc. have conferred to develop a joint discovery schedule and hereby submit the following agreed scheduling order.

The parties shall exchange initial disclosures as required by Federal Rule of Civil Procedure 26(a)(1) by **January 6, 2011**.

The parties will conduct discovery in two phases. Phase I of discovery shall include all discovery, including depositions, regarding the individual claims of Plaintiffs Pumphrey and Jones. Phase I shall include discovery regarding whether any alleged violation of the Fair Credit Reporting Act, 15 U.S.C. §1681, *et seq.*, was “willful” under the terms of the Act. Phase I shall also include all dispositive motions regarding the individual claims of Plaintiffs Pumphrey and Jones.

Following this Court's rulings on the dispositive motions from Phase I, the parties will enter Phase II of discovery. Phase II of discovery shall include issues regarding class certification as well as any other remaining issues required to prepare for a trial of these matters.

The limits set forth in the Federal Rules shall govern Phase I discovery except that each party shall be limited to a total of three non-party depositions in Phase I per case. Unless otherwise stipulated or ordered by the Court, each deposition, including expert depositions, shall be limited to 1 day of 7 hours.

The parties shall serve initial expert witness disclosures, pursuant to Fed. R. Civ. P. 26(a)(2)(B), by **April 2, 2012**. The parties shall serve rebuttal expert disclosures by **April 23, 2012**. The parties shall complete all Phase I expert depositions by **May 14, 2012**.

All Phase I fact discovery shall be completed by **May 14, 2012**.

All Phase I dispositive motions shall be completed by **June 8, 2012**. Opposition briefs shall be filed by **June 29, 2012**. Reply briefs shall be filed by **July 13, 2012**. In the event that a motion is filed on an earlier date, opposition briefs shall be filed within twenty-one calendar days of filing of the motion, reply briefs shall be filed within fourteen days of filing of opposition briefs.

This Court will subsequently conduct hearings on the dispositive motions, if necessary.

If Plaintiffs' claims survive this Court's decisions on the dispositive motions, the parties will hold a subsequent discovery conference for Phase II no later than fourteen days after the Court's rulings are issued. Promptly thereafter, the parties will submit to the Court their proposed discovery plan for Phase II.

The parties have discussed all other items required by Rule 26(f).

The following shall summarize the deadlines in these cases:

<u>Activity</u>	<u>Deadline</u>
Deadline to exchange Fed. R. Civ. P. 26(a)(1) initial disclosures	January 6, 2012
Deadline to serve initial Fed. R. Civ. P. 26(a)(2)(B) expert disclosures as to Phase I issues	April 2, 2012
Deadline to serve rebuttal expert disclosures	April 23, 2012
Deadline for completing Phase I expert depositions	May 14, 2012
Close of Phase I fact discovery (including depositions and production of written discovery)	May 14, 2012
Deadline to file Phase I dispositive motions	June 8, 2012
Deadline to file responses to Phase I dispositive motions	June 29, 2012
Deadline to file replies to Phase I dispositive motions	July 13, 2012
Hearing on dispositive motions	<u>To be determined</u> _____, 2012

Entered this 3 day of ~~December, 2011~~ →

January 2012

/s/ JAJ
John A. Gibney, Jr.
United States District Judge
Hon. John A. Gibney, Jr.
United States District Judge

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